

H. R. 3929 – Energy Pipeline Research, Development and Demonstration Act

Changes Contained in the Substitute Amendment

At the markup tomorrow, Congressmen Ralph Hall and Lamar Smith will offer an amendment in the form of a substitute to H.R. 3929. The amendment incorporates the best recommendations of the witnesses at last week's hearing, other written comments and consultations with other interested parties.

The overall thrust of the bill has not changed. Suggestions of several commentators have been adopted to make the bill more robust, especially in Section 3(a)(2) that contains the elements of the research, development and demonstration program. The substitute also clarifies that the RD&D program includes advances related to both traditional energy pipelines as well as next generation" pipelines. (Section 6 under the Hall/Smith substitute defines energy pipelines to include those used in transmission or local distribution of natural gas including liquefied natural gas, crude oil, or refined petroleum products, defined next-generation pipelines to include any pipeline carrying energy or energy related products other than natural gas, crude oil or refined petroleum products, and defined pipelines to include both energy and next-generation pipelines.)

Finally, several changes are made in Section 2-Findings, to clarify the scope of the bill, amplify and clarify the intent of the provisions.

The following is a breakdown of significant language changes (other than technical and conforming amendments) from H.R.3929 as introduced to the Amendment in the Nature of a Substitute to H.R.3929 offered by Hon. Ralph M. Hall and Hon. Lamar Smith.

In section 2 Findings

- **Finding (1)** is clarified by referencing "energy pipelines".
- **Finding (2)** was changed to be less definitive. The new text states that pipelines *can* become more susceptible to failure with age.
- **Finding (3)** replaced "*facilities*" with "*pipelines*" and added "*and associated above-ground facilities*". The same finding is expanded to express safety concerns for those living near pipelines or responding to pipeline incidents.

In Section 3. Pipeline Integrity Research, Development, and Demonstration

- Under **(2) Elements** (of the research program) subheading
 1. **Element (B)** is expanded to call for the "*development of new equipment or technologies that are inserted into pipelines to detect anomalies*".
 2. **Element (C)** is expanded to include the development of new "*internal inspection*" techniques.
 3. **Element (D)** no longer includes "*Flow metering*".

4. **Element (E)** added “*real-time*” to describe “surveillance” and is expanded to include “*developing tools for evaluating and enhancing pipeline security and infrastructure, reducing natural, technological, and terrorist threats, and protecting first response units and persons near an incident.*”
 5. **Element (G)** replaced “*information systems surety; and*” with “*communication, control, and information systems surety;*”
 6. Two new elements were added: **(H)** *fire safety of pipelines* and **(I)** *improved excavation, construction, and repair technologies.*
- **Subheading (a)(3) Activities and Capabilities Report** after “*laboratories*” the words “*and any*” are replaced with “. *The report shall include the results of a survey by the participating agencies of any activities of*” This will require the three participating agencies to learn what is happening in other agencies that relates to their work under this Act and to adjust the research efforts accordingly.

In **Section 6 Definitions** added definitions for

- (1) the term “energy-pipeline” means any pipeline system used in the transmission or local distribution of natural gas including liquefied natural gas, crude oil, or refined petroleum products.
(Various conforming changes were made to accommodate this definition)
- (2) the term “next-generation pipeline” means a transportation or distribution pipeline system designed to transmit energy or energy-related products in liquid or gaseous form other than crude oil, natural gas, and refined petroleum products.
- (3) the term “pipeline” means either energy pipeline or next-generation pipeline.